

**DISTRICT EAST INDEPENDENT OVERSIGHT COMMITTEE  
DEPARTMENT OF ECONOMIC SECURITY  
DIVISION OF DEVELOPMENTAL DISABILITIES**

**COMMITTEE GUIDELINES**

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**ARTICLE I: NAME**

The name of this committee is the Independent Oversight Committee (IOC) District East.

**ARTICLE II: OBJECTIVES**

- Section 1. The Independent Oversight Committee will provide independent advisory oversight, review and make recommendations so that the guaranteed rights will be protected for the persons with developmental disabilities who reside in the State of Arizona.
- Section 2. The Committee shall review all aversive or intrusive programs in order to ensure that basic rights and the rights to treatment are not infringed upon for the convenience of staff, relatives, or community. The committee may recommend approval of the program: recommend non-approval until changes and/or revisions are made in the program or recommend that program not be approved at all.
- Section 3. The Committee will review all behavior modifying medical programs and/or medications which can cause behavior change as a side effect. When the Committee reviews the use of behavior modifying medications, it shall receive information from the prescribing physician and the members' interdisciplinary team describing the need for such medication and possible side effects. The Committee will ensure that basic rights and the right to treatment are not infringed upon for the convenience of staff, relatives, or community.
- Section 4. The Committee will review all allegations of possible abuse, neglect, or denial of members' rights.
- Section 5. The written proposal of research projects will be submitted to the Independent Oversight Committee for review and comment. The Committee may request an interview with the person proposing the project to assure the research project will not deny any member rights of those members who participate.
- The Committee will ensure appropriate procedures are in place to protect the confidentiality and privacy of client information and records. All research must comply with Division of Developmental Disabilities policies prior to initiation.

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- Section 6. The Committee may review general rights issues, e.g., the right to adequate treatment, the right to public education, alone or in consultation with the District Program Manager and/or with any other State DDD personnel.
- Section 7. The Committee, in consultation with the District Program Manager, may visit a Division-funded day/ICF setting in which a client for whom the Committee is reviewing a program lives or works, and attend Individual Program Planning meetings, and Program Review Committee meetings.
- Section 8. The Committee, in consultation with the District Program Manager, may review all Incident Reports on a monthly basis.
- Section 9. The Committee, in consultation with the District Program Manager, may review records.
- Section 10. The Committee may, in consultation with the District Program manager, review proposed and existing policies and procedures or guidelines relevant to rights of persons being served by the Department and make recommendations.
- Section 11. The Committee shall submit written objections to specific problems or violations of individual's rights by department employees or service providers to the Director of the appropriate department for review. The Director has 21 days to respond.

**ARTICLE III: MEMBERSHIP**

- Section 1. The Committee will be composed of at least seven and not more than fifteen persons with expertise in one or more of the following areas: psychology, law, medicine, education, special education, social work, criminal justice, and at least two parent/guardian, of an individual with developmental disabilities who is served by the Division.
- Section 2. When there is a vacancy, the Committee may recommend membership of a nominee, upon at least majority vote, to the Director who will appoint the nominee to become a member.
- Section 3. All members must be at least 18 years of age.
- Section 4. Members must be willing to commit to an initial two-year term of service.
- Section 5. There are no term limits.
- Section 6. No employee of the Division shall be a voting member.

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- Section 7. No contract service provider or consultant may be a voting member.
- Section 8. Terms of members will end upon five or more unexcused absences in a calendar year, as determined by the Chairperson. The Committee will formally terminate each membership with a majority vote.
- Section 9. Members may be removed by a quorum vote.
- Section 10. Resignation must be communicated to the Chairperson via verbal, written or electronic communication.

**ARTICLE IV: OFFICERS**

- Section 1. The officers of the Committee will be a Chairperson and Vice-Chairperson.
- Section 2. The officers shall be elected every two years and shall perform duties in the manner prescribed in these bylaws and by parliamentary authority adopted by the Committee.
- Section 3. The Chairperson will coordinate the activities of the IOC; schedule meetings, set agenda, preside at meetings, review minutes, appoint sub-committees; attend quarterly statewide Chairpersons meetings as scheduled, cancel any regular meetings if necessary due to lack of quorum or any other duties required to achieve the objectives of the committee. The Vice-Chairperson must perform the duties of the Chairperson in their absence.
- Section 4. In the event the Chairperson resigns before the end of the term, the Vice-Chairperson shall act as interim Chairperson until a new Chairperson has been elected. At the next scheduled meeting, members will hold an election for the new Chairperson.

**ARTICLE V: MEETINGS**

- Section 1. The Committee will meet at least six times a year.
- Section 2. Attendance for meetings can occur electronically or in person.

**ARTICLE VI: COMMITTEES**

Ad Hoc committees may be formed and dissolved by the Chairperson as needs arise.

**ARTICLE VII: PARLIAMENTARY AUTHORITY**

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- Section 1. The rules contained in the current edition of the Roberts' Rules of Order Newly Revised shall govern the Committee as long as such rules are not inconsistent with court settlements, Arizona Revised Statutes, rules, regulations or standard operating procedures or articles of these bylaws.
- Section 2. When a vote results in a tie, the chairperson shall make a determination.
- Section 3. A quorum shall be 50% of the current membership.

**ARTICLE VIII: OPEN MEETING LAW PRACTICES**

All Committee meetings shall be held in accordance with Arizona Revised Statutes pertaining to open meeting laws.

**ARTICLE IX: CONFIDENTIALITY**

All members will sign a statement agreeing to adhere to applicable statutes and rules regarding confidentiality.

**ARTICLE X: ADMINISTRATIVE REVIEW**

If the majority of Committee members cannot resolve an issue with the District Program Manager, the Committee will communicate in writing to the Assistant Director of the Division of the Developmental Disabilities, Department of Economic Security. This failing, the committee may follow practices of appeals and hearings. (R6-6-20)

**ARTICLE XI: ANNUAL REPORT**

The Committee shall issue an annual report which will summarize its activities and make recommendations on changes the Department should consider implementing.

**ARTICLE XII: EXPENSES**

Committee members will be remunerated by the Division for expenses incurred in the activities of their work. Such expenses will include mileage costs for travel, and conference costs and other costs which the District Program Manager deems appropriate. The Committee may also request the services of a consultant whose services will be paid for by the Division.

**ARTICLE XIII: RECORDS**

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The Committee will keep written records of all open and executive meetings, including the voting record.

**ARTICLE XIV: SUPPORT STAFF**

District East staff person will act as liaison and support staff for the Committee with no voting privilege. The role is to assist the Committee, and activities may include collecting, condensing, and preparing materials for the Committee; arranging presentations; acting as interface between the Committee and department staff; preparing agendas for the Committee; physical meeting preparation; conference preparation and administration. In consultation with the Committee, the staff person may help with the preparation of the Annual Report. The Committee may also request a consultant.

**ARTICLE XV: CONFLICT OF INTEREST**

The chairperson will direct any Committee member to refrain from presenting a case or voting when a conflict of interest arises. Any member who considers himself/herself in conflict of interest will announce such a situation to the chairperson.

**ARTICLE XVI: AMENDMENT OF GUIDELINES**

Section 1. These bylaws may be amended at any regular meeting of the Committee by a majority vote of the full committee, provided the amendment has been submitted in writing at the previous regular meeting. The bylaws and proposed amendment copies will be sent to the District Program Manager.

Section 2. Standing rules may be revised by majority vote at any regular meeting.

**ARTICLE XVI: HOW TO ACCESS THE COMMITTEE**

Requests may be surfaced to the Committee through one of its members, a District Program Manager, or a District Program Manager designee by any of the following: DDD or contract provider staff, Program Review Committee members, Individuals served, parents, ADOA or other interested parties.